

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:05-00193

QUINTON THOMAS JOHNSON

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On August 7, 2009, the United States of America appeared by J. Christopher Krivonyak, Assistant United States Attorney, and the defendant, Quinton Thomas Johnson, appeared in person and by his counsel, David R. Bungard, Assistant Federal Public Defender, for a hearing on the petition on supervised release submitted by Senior United States Probation Officer Keith E. Zutaut, the defendant having commenced a three-year term of supervised release in this action on August 29, 2008, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on February 23, 2006.

The court heard the admissions of the defendant with regard to Violation Number One, the evidence and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) that the defendant committed the state and local crime of driving without a license for which he was cited on June 27, 2009, the defendant having admitted such conduct to the probation officer; and (2) that the defendant violated state law and the standard condition of supervised release that he not possess a firearm inasmuch as the court finds by a preponderance of the evidence that the defendant possessed the two handguns found in a purse in the cargo area of the SUV he was driving on June 30, 2009; all as set forth in the petition on supervised release.

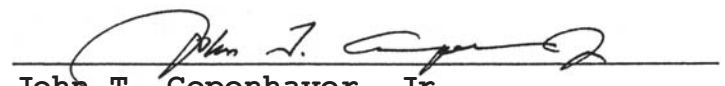
And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, on the basis of the original offense, the intervening conduct of the defendant and after considering the factors set forth in 18 U.S.C. § 3553(a), that the defendant is in need of correctional treatment which can most effectively be provided if he is confined, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of TEN (10) MONTHS, to be followed by a term of twenty-six (26) months of supervised release upon the standard conditions of supervised release now in effect in this district by order entered June 22, 2007, and the further condition that the defendant not commit another federal, state or local crime.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: August 19, 2009

  
John T. Copenhaver, Jr.  
United States District Judge

